

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MELVIN H. VAN WOERT

12

CV

7279

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

DR. STUART SEALFON

DR. DENNIS CHARNEY

MOUNT SINAI MEDICAL CENTER

(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the space
provided, please write "see attached" in the space above and
attach an additional sheet of paper with the full list of names.
Typically, the company or organization named in your charge
to the Equal Employment Opportunity Commission should be
named as a defendant. Addresses should not be included here.)

COMPLAINT
FOR EMPLOYMENT
DISCRIMINATION

Jury Trial: ☒ Yes ☐ No
(check one)

This action is brought for discrimination in employment pursuant to: (check only those that apply)

____ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

✓

____ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.

____ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

✓

____ New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

✓

____ New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name MELVIN H. VAN WOERT MD
 Street Address 752 RIDGEWOOD ROAD
 County, City MILLBURN
 State & Zip Code NEW JERSEY 07041
 Telephone Number 973 467 8897 973 738-3578

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name STUART C. SEARFON MD
 Street Address ANNENBERG BUILDING, FLOOR 14, ROOM 14-94
 County, City 1468 MADISON AVE., NEW YORK CITY
 State & Zip Code N.Y. 10029
 Telephone Number 212 241-7075

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer MOUNT SINAI MEDICAL CENTER
 Street Address ONE GUSTAVE L. LEVY PLACE
 County, City NEW YORK CITY
 State & Zip Code NEW YORK 10029
 Telephone Number 212 241 6500

II. Statement of Claim:

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)

☐ Failure to hire me.
☒ Termination of my employment.
☐ Failure to promote me.
☐ Failure to accommodate my disability.
☒ Unequal terms and conditions of my employment.

DEFENDANTS (cont.)

I.

B.

DENNIS S. CHARNEY, M.D.

ANNENBERG BUILDING

FLOOR 21, ROOM 86

1468 MADISON AVENUE

NEW YORK, N.Y. 10029

MOUNT SINAI MEDICAL CENTER
ONE GUSTAVE L. LEVY PLACE
NEW YORK, N.Y. 10029

☒

Retaliation.

☒

Other acts (specify):

AGE DISCRIMINATION

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: July 2009
Date(s)

C. I believe that defendant(s) (check one):

☒

is still committing these acts against me.

☐

is not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

☐

race

☐

color

☐

gender/sex

☐

religion

☐

national origin

☒

age.

My date of birth is 11/03/1929 (Give your date of birth only if you are asserting a claim of age discrimination.)

☐

disability or perceived disability, _____ (specify)

E. The facts of my case are as follow (attach additional sheets as necessary):

ATTACHED LETTER

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: MARCH 23, 2012 (Date).

Facts of My Case

In 1974, I became a full time tenured professor at Mount Sinai Medical center in N.Y.C., NY. I am a board certified internist and hold a joint faculty appointment in Neurology and Pharmacology. I have had a very productive career at Mt. Sinai and I have published many important and significant human and animal research studies, as well as teaching, patient care, and serving on committees etc. My enclosed CV (Exhibit 1)lists my publications and some of my other professional activities. One of my achievements, with a co-investigator Dr. G. Cotzias, was the discovery and development of L-Dopa for the treatment of Parkinson's Disease (New Engl. J. Med. 276, 374. 1967). L-Dopa is still the primary therapy for Parkinson's Disease. While at Mt. Sinai, I played a major role in the effort to help millions of patients with rare diseases. While investigating a new treatment for a rare disease myoclonus (without assistance from pharmaceutical companies), one of my patients and I convinced congresswoman Elizabeth Holtzman to introduce the first Orphan Drug Bill to provide financial incentives for pharmaceutical companies to develop drugs for rare diseases. I followed up with meetings with FDA, NIH, congressional men and women, congressional testimony, publications, conferences, TV appearances, assistance with two Quincy TV shows, and helping to organize lobbying efforts by many rare disease organizations (CV: see checked off entries). In 1983, Congress passed the Orphan Drug Law which has been successful in helping patients with rare diseases. I am currently applying my experience, training and expertise to ongoing clinical research in Mt. Sinai's Division of Neurophysiology.

In the 1990s, the NIH funded Department of Neurology Research Grant, of which I was a major contributor, had been terminated. This significantly reduced the financial support to my lab and research which was also funded by my own individual NIH research grants. My research lab activities were gradually reduced and eventually discontinued. As part of this change, I negotiated an agreement with Mt. Sinai's Dr. Gary Rosenberg (Senior Vice President), Dr. Sherman Kupfer (Associate Dean) and Dr. Lipton (Chairman of Neurology) which consisted of my seeing patients in the Faculty Practice Clinic and working part time in the Employee Health Clinic as well as being available for other projects at the discretion of the Neurology Chairman. Since this agreement resulted in some reduction of my work load, my yearly salary was frozen at \$67,200.

In June 2009, a new chairman, Dr. Stuart Sealfon, was appointed to the Department of Neurology. I never had any conversations with him prior to his appointment. However, he immediately told me that at this late stage in my career, he didn't think I could be productive enough to satisfy him. He made it clear that he thought I was too old to continue working in his

department and he wanted me to retire. Since I had tenure he either had to bring me before a committee to have me fired for cause or pursue a course of threats, harassment, degradation, discrimination, salary reduction and poor job evaluation to persuade me to retire. Dr. Sealfon has taken this latter course, which is a tactic that has been used to eliminate older tenured faculty. A change in a Neurology Department chairman in the early 1990s, was associated with the departure of several senior professors (Dr. Gerard Lehrer Dr. Sidney Diamond and Dr. Teresita Elizan).

On July 13, 2009, Dr. Sealfon threatened to reduce my yearly salary from \$67,200 to \$48,286 which is listed as the base salary for professors at Mt. Sinai (Exhibit 2). The American Association of University Professors guidelines state that reduction of salary should not be imposed as a sanction "...until after a hearing in which the same procedures apply in a dismissal case, which include written notice of the charges, a hearing before a faculty committee in which the administration bears the burden of proof, right to counsel, cross-examination of adverse witnesses, a record of the hearing, and a written decision.." This did not occur. Mt. Sinai's \$48,286 base salary is also not compliant with the American Association University Professors guidelines and was established decades ago (but after 1974 when I was hired) without increases for inflation and the rise in cost of living. When I was hired in 1974, Dr. Green wrote me a letter (March 1, 1974) stating "....in any case you can be assured that Mount Sinai guarantees your salary as implied in the award of tenure." Therefore, reduction of my salary to \$48,286 (a constructive discharge from tenure) would be a major sanction requiring a statement of charges and a hearing. Although after considerable anguish and complaints on my part, my salary was not reduced, but my work load was increased without appropriate salary compensation. Since 1994 when mandatory retirement became illegal, Mt. Sinai's low base salary has been used to effectively nullify tenure agreements and force older faculty to leave.

After I complained about the threat of salary reduction and Dr. Sealfon's refusal to honor the earlier agreement regarding the reduced work load and frozen salary of \$67,200, Leslie Schneier (Associate Dean), Caryn Tiger- Paillex (Director of Human Resources) called a meeting with Dr. Sealfon and myself. The conclusion of the meeting was that my salary would not be reduced if I worked at least 40 hours a week in the Division of Clinical Neurophysiology (which I had transferred to prior to the meeting). This decision was outlined in Dr. Sealfon's letter of September 2009 (Exhibit 3). However, Dr. Sealfon refused to increase my salary to a level appropriate for this increased work load. My salary of \$67,200 is less than that of a nurse assistant (average N.Y.C. salary of \$69,000), while the average N.Y.C. internist salary is \$176,000 (Exhibit 4). Increased work load without appropriate compensation is discriminating and a strategy to force older tenured professors to retire. In spite of this, I have been working full

time in the Division of Clinical Neurophysiology and Employee Health Clinic as a practicing physician for the salary of a nurse assistant. In a meeting with Caryn Tiger-Paillex (Director of Human Resources) on September 25, 2012, she said that she could arrange for me to transfer to nursing and assume the job of nurse assistant.

In February 2012, an Annual Faculty Appointment Evaluation Form (Exhibit 5) was required to be filled out for each faculty member. This evaluation form becomes part of the permanent employment record. Dr. Sealfon singled me out for him to fill out my evaluation form. This was a discriminating action since other faculty working in the Division of Clinical Neurophysiology (eg. Dr. Mark Sivak and Dr. Jesse Weinberger) were evaluated by senior faculty who worked in the same facility and who had direct knowledge of their performance (not Dr. Sealfon). However, Dr. Sealfon works in a different location at Mt. Sinai and I very rarely even see him. Dr. Sealfon admitted to me in front of a witness (Ms. Lidiya Ivic a Neurology Department secretary), that he didn't know anything about my clinical and research activities when he filled out my Annual Faculty Evaluation Form. Dr. Sealfon, without discussion with me, marked off either 1 (below expectations) or 2 (marginally meets expectations). When I questioned him about the low ratings, he indicated that it was a financial decision, although I am meeting all of the requirements of my job according to the September 11, 2009 negotiated agreement (Exhibit 3). Dr. Sealfon admitted he had not talked with Dr. David Simpson, head of Clinical Neurophysiology Division, about my work and subsequently Dr. Simpson confirmed to me that Dr. Sealfon had not contacted him about this evaluation form. He also did not consult with Mary Catherine George, the Research Program Manager, who I see every weekday in connection with the clinical research in the Clinical Neurophysiology Division. Dr. Sealfon also had not contacted Ollie Brown, chief administrator of the Employee Health Clinic, or any other person there. He admitted he didn't know anything about my professional capability or performance. However, in both the Clinical Trials category and the Patient Care section ("eg. Quality, malpractice, certification, patient satisfaction") he checked off "marginally meets expectations". In other words, he lied on this form which becomes part of my permanent record. This dishonest evaluation is part of his strategy to get me to resign or build a case to fire me for cause, all because he considers me too old to be useful in his department. In June 2011, a professional evaluation by a faculty member Dr. Katherine Elliott, who worked in the Clinical Neurophysiology Division and who knows my clinical and research performance, completely contradicts Dr. Sealfon's evaluation (Exhibit 6).

On March 21, 2012, after I complained about Dr. Sealfon's evaluation of me, Dr. Sealfon sent an addendum letter (Exhibit 7) emphasizing financial issues. The facts are that since August 2009, I have worked on 13 grants and have been a co-investigator on 9 of these grants

(Exhibit 8). Including the 20% of my salary coming from Employee Health Service, I am generating much more than the 90% of my salary which Dr. Sealfon states is necessary based on Mt. Sinai rules (Exhibit 9) and I am performing clinical research which a replacement would cost many times more in salary. Although I am listed on the grants as an investigator, the Neurology Department will not allow me to see whether there is any salary listed for me or how much time is allotted for my efforts in the grant proposals. However, in his Sept 11, 2009 letter (Exhibit 3) Dr. Sealfon stated that if I worked effectively in Clinical Neurophysiology he could "justify the use of grant funding to cover enough of your salary so that no salary reduction will be necessary." Now he says that 90% of my salary must come from outside sources i.e. grants or contracts in which I am the principal investigator. Mt. Sinai's salary regulation states: "At least 90% of a clinician's total compensation must be covered by available sources" and there is no mention that the position of principal investigator is necessary. Dr. Sealfon is misinterpreting Mt. Sinai's rule to claim that I am not bringing in sufficient funds and thereby uses this argument to justify the overall poor evaluation including my clinical performance. Dr. Sealfon's March 21, 2012 letter (Exhibit 7) states that his expectations are based on a tenured full time faculty member although he doesn't mention that my salary is way below my title. On September 25, 2012, Leslie Schneier (Associate Dean) told me that since I cannot prove that I am earning money from the grants I am working on, my salary can now be reduced to \$48,286 and I will still need to work at least 40 hours per week on these grants. In this same meeting Leslie Schneier and Caryn Tiger-Paillex (Director of Human Resources) both stated that Mt. Sinai has reduced the salary of numerous tenured professors to \$48,286 under circumstances similar to mine.

In April 2012, I submitted a complaint to Mt. Sinai's Grievance Committee. Both Dr. Sealfon and I met with the committee members. On July 31, 2012, Dr. Dennis Charney, the Dean, sent me the usual form letter stating that there was no discrimination (Exhibit 10). I have requested a copy of the Grievance Committee report and was told by both Dr. Gail Meisel (Chairwoman) and Leslie Schneier (Associate Dean) that I could not see it (Exhibit 11). Five committee members compiled the report detailing the complaint and their decisions which I am told is a secret that I have no right to see.

In summary, Dr. Sealfon's behavior constitutes a pattern of harassment and age discrimination designed to force me to retire from Mt. Sinai. Since 2009, he has 1) threatened me with salary reduction 2) increased my work load without reasonable salary compensation 3) discriminated against me by selecting me out for his evaluation of my performance which he had no knowledge of 4) filled out a dishonest performance evaluation 5) incorrectly interpreted Mt. Sinai's 90% rule to justify his harassment and lies about me and 6) no longer honors his September 2009 agreement with me. Basically, no matter how hard I work or how much money I generate from working on grants and in the Employee Health Clinic, Dr. Sealfon's goal remains to force me by harassment and discrimination to leave Mt. Sinai.

B. The Equal Employment Opportunity Commission (*check one*):

☒ has not issued a Notice of Right to Sue letter.
☐ issued a Notice of Right to Sue letter, which I received on 7/02/2012 (Date).

Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

☒ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

IV. Relief:

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: \$50,000 legal fees

\$108,800 salary x 20 yrs = \$2,176,000 plus punitive damages

(Describe relief sought, including amount of damages, if any, and the basis for such relief.)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27 day of September, 2012

Signature of Plaintiff

Address

M. L. H. Van Wert
752 RIDGEWOOD ROAD
MILLBURN
NEW JERSEY 07041

Telephone Number

Fax Number (if you have one)

973 467 8897 973 738 3578

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Melvin H. Van Woert**
752 Ridgewood Road
Millburn, NJ 07041

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2012-01817

Jeanette P. Wooten,
Investigator

(212) 336-3753

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Kevin J. Berry

Kevin J. Berry,
District Director

7/2/12
 (Date Mailed)

Enclosures(s)

cc:

Director
Human Resources
MOUNT SINAI HOSPITAL THE
1 Gustave L Levy Place
New York, NY 10029

CURRICULUM VITAE

Melvin H. Van Woert, M.D., F.A.C.P.

MOUNT SINAI MEDICAL CENTER
DEPARTMENT OF NEUROLOGY
BOX 1137
ONE GUSTAVE LEVY PLACE
NEW YORK, N.Y. 10029-6574

ACADEMIC:

B.A. Columbia College, New York City, N.Y., 1951
M.D. New York Medical College, New York City, N.Y., 1956

INTERNSHIP:

University of Chicago, Chicago, Ill., 1956-1957

RESIDENCIES:

Internal Medicine, University of Chicago, 1957-1959
Gastroenterology Fellowship, 1959-1960

MILITARY SERVICE:

U.S. Army Medical Corps, 1960-1962
Internist, 121 Evac Hospital, Korea, 1960-1961
Internist, Fort Carson Army Hospital, Colorado, 1961-1962

CERTIFICATION:

American Board of Internal Medicine, 1963

LICENSURES:

National Board of Medical Examiners, 1957
New York State, 1966
Connecticut, 1967

SOCIETIES:

Fellow, American College of Physicians
American Society for Pharmacology and Experimental Therapeutics
New York Academy of Science
American Association for the Advancement of Science
Society for Neuroscience
Society for Neurochemistry
Serotonin Club

HOSPITAL APPOINTMENTS:

Attending Physician, Mount Sinai Hospital, 1974-present
Attending Physician, Ambulatory Service, Yale-New Haven
Hospital, 1974-1984
Attending Physician, Yale-New Haven Hospital, 1967-1974
Clinical Research Physician, Oak Ridge Institute of Nuclear
Studies, 1967
Associate Attending Physician, Brookhaven National Laboratory
Hospital, 1964-1967

Assistant Attending Physician, Brookhaven National Laboratory
Hospital, 1963-1964

Attending Physician, St. Mary's Hospital, Kankakee, Ill., 1960

PROFESSIONAL EXPERIENCE:

Professor, Departments of Neurology and Pharmacology, Mount Sinai
School of Medicine, 1978-present

Professor, Departments of Internal Medicine and Pharmacology and
Head, Clinical Pharmacology Division, Mount Sinai School of
Medicine, New York City, N.Y., 1974-1978

Associate Professor, Departments of Internal Medicine and Pharmacology
and Division of Clinical Pharmacology, Yale University School
of Medicine, 1971-1974

Assistant Professor, Departments of Internal Medicine and Pharmacology
and Division of Clinical Pharmacology, Yale University School
of Medicine, 1967-1971

Clinical Researcher, Oak Ridge Institute of Nuclear Studies, 1967

Associate Scientist, Brookhaven National Laboratory, 1963-1966 and
Collaborator from 1967-1971; 1977-1978

Clinical Research Assistant, University of Chicago, 11/62-4/63

COMMITTEES:

Pharmacy and Therapeutics Committee, Mt. Sinai School of Medicine

Public Affairs Committee, American Society for Pharmacology and
Experimental Therapeutics- 2 years

Study Section Review Committee Huntington's Disease. National Institutes
of Health, 1980

Steering Committee of Neurobiology Graduate Program

PROFESSIONAL CONTRIBUTIONS:

Consultant for Neuropharmacological Drug Products for the Food and
Drug Administration, 1974-1980

Associate Editor for Journal of the Neurological Sciences

Member of Editorial Board of Journal of Clinical Neuropharmacology

Medical Director of National Organization for Rare Disorders (NORD)

Medical Director of Myoclonus Families United

Medical Advisor of National Myoclonus Foundation

Member of Medical Advisory Committee of Tourette Syndrome Association

Organizer and Director of conference: "Cooperative Approaches to
Research and Development of Orphan Drugs", April 1984

New York State Medicaid DUR Board, Member, Nov. 1992 -

Member of Editorial Board of Journal of Rare Diseases

AWARDS AND HONORS:

U.S. Public Health Service Award for Exceptional Achievement in
Orphan Products Development, 1986

Appointed member of the U.S. Public Health Service's National
Commission on Orphan Diseases, 1987-1989

Invited speaker to testify on the Orphan Drug Problem to the Subcommittee
on Health and the Environment in the U.S. House of Representatives
on June 26, 1980 and March 23, 1984

National Myoclonus Foundation Award, 1984

Tourette Syndrome Association Award, 1988

National Organization for Rare Disorders, Humanitarian Award, 2/23/93

Van Woert, M.H. and Kappas, A. Major muscle rupture in rheumatoid arthritis. *Ill. Med. J.* 117, 1, 1960.

Van Woert, M.H. and Kirsner, J.B. Idiopathic jaundice of pregnancy. *Gastroenterology* 40, 633, 1961.

Kirsner, J.B. and Van Woert, M.H. Diseases of the digestive tract during pregnancy. *Greenhill: OBSTETRICS*, 12th Ed. Ch. 40, 1960.

Braucher, R.E., Van Woert, M.H. and Kirsner, J.B. Esophageal hiatus hernia. *Postgrad. Med.* 31, 325, 1962.

Kirsner, J.B. and Van Woert, M.H. Irreversibility and reversibility in ulcerative colitis. *Med. Clin. North Amer.* 48, 143, 1964.

Patten, B.M., Sakamoto, A., Van Woert, M.H., Papavasiliou, P. and Cotzias, G.C. Tremorine-induced tremor versus extrapyramidal disease. *Nature* 201, 929, 1964.

Cotzias, G.C. and Van Woert, M.H. Manganese poisoning - new insights. *Revista de Neuro-Psiquiatria*, December 1964. (Neurolog. Cong. Lima, Peru, Oct. 1963).

Cotzias, G.C., Papavasiliou, P., Van Woert, M.H. and Sakamoto, A. Melanogenesis and extrapyramidal disease. *Fed. Proc.* 23, 713, 1964.

Van Woert, M.H. and Cotzias, G.C. Possible roles of melanin in some extrapyramidal functions. *PARKINSON'S DISEASE*, ed. E.A. Spiegel, Grune and Stratton, Inc. Ch. XV, 1965.

Kirsner, J.B. and Van Woert, M.H. Diseases of the digestive tract during pregnancy. *Greenhill: OBSTETRICS*, 13th Ed., Ch. 43, 1965.

Van Woert, M.H. and Cotzias, G.C. Anion inhibition of monoamine oxidase. *Biochem. Pharmacol.* 15, 275, 1966.

Van Woert, M.H., Nicholson, A.R. and Cotzias, G.C. Functional similarities between the cytoplasmic organelles of melanocytes and the mitochondria of hepatocytes. *Nature* 208, 810, 1965.

Cotzias, G.C., Van Woert, M.H. and Schiffer, L.M. Aromatic amino acids and modification of Parkinsonism. *New Eng. J. Med.* 276, 374, 1967.

Prasad, K.N. and Van Woert, M.H. Dopamine protects mice against whole-body irradiation. *Science* 155, 470, 1967.

Van Woert, M.H., Prasad, K.N. and Borg, D.C. Spectroscopic studies of substantia nigra pigment in human subjects. *J. Neurochem.* 14, 707, 1967.

Van Woert, M.H., Nicholson, A.R. and Cotzias, G.C. Mitochondrial functions of polymelanosomes. *Comp. Biochem. Physiol.* 22, 477, 1967.

Van Woert, M.H. *Proteus mirabilis* enterocolitis following abdominal irradiation. *Amer. J. Dig. Dis.* 12, 737, 1967.

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- Van Woert, M.H. Isolation of chlorpromazine pigments in man. *Nature* 219, 1054, 1968.
- Van Woert, M.H. Reduced nicotinamide adenine dinucleotide oxidation by melanin: inhibition by phenothiazines. *Proc. Soc. Biol. Med.* 129, 165, 1968.
- Van Woert, M.H. Spectral studies of the pigment of the human substantia nigra. In: *PROCEEDINGS IN NEURO-GENETICS*, pp. 306-311, Eds. A. Barbeau and J. Brunette. Excerpta Medica Foundation, Amsterdam, 1969.
- Prasad, K.N. and Van Woert, M.H. Effect of dopamine on DNA x-irradiated in vitro. *Int. J. Radiation Biol.* 14, 79, 1968.
- Van Woert, M.H. and Palmer, S.H. Inhibition of the growth of mouse melanoma by chlorpromazine. *Cancer Res.* 29, 1952, 1969.
- Van Woert, M.H. Effect of phenothiazines on melanoma tyrosinase activity. *J. Pharmacol. exp. Therap.* 173, 256, 1970.
- Prasad, K.N. and Van Woert, M.H. Radioprotective action of dihydroxyphenylethylamine (dopamine) on whole-body x-irradiated rats. *Radiation Res.* 37, 305, 1969.
- Van Woert, M.H. and Korb, F. Effect of whole-body x-irradiation on tyrosine hydroxylase and catecholamine levels. *Life Sci.* 9, 227, 1970.
- Van Woert, M.H. Pharmacodynamics of 3,4-dihydroxyphenylalanine (Dopa) in Parkinson's disease. *Conn. Med.* 34, 401, 1970.
- Van Woert, M.H. and Bowers, M.B. Jr. The effect of L-Dopa on monoamine metabolites in Parkinson's disease. *Experientia* 26, 161, 1970.
- Van Woert, M.H. and Bowers, M.B. Jr. Aromatic amino acid metabolism during L-Dopa therapy of Parkinson's disease. In: *L-Dopa and Parkinsonism*. Eds. A. Barbeau and F.H. McDowell, Davis, Philadelphia, 1970, pp 231-236.
- Van Woert, M.H. Activation of tyrosinase by chlorpromazine. In: *Pigmentation: Its Genesis and Biologic Control*. Ed. V. Riley, Appleton-Century-Crofts, New York, 1972, pp 503-514.
- Weintraub, M.I., Gaasterland, D. and Van Woert, M.H. Pupillary effects of levodopa therapy. Development of anisocoria in latent Horner's syndrome, *New Eng. J. Med.* 283, 120, 1970.
- Van Woert, M.H., Heninger, G., Rathey, U. and Bowers, M.B. Jr. L-Dopa in senile dementia. *Lancet* 1, 573, 1970.
- Prasad, K.N., Zambernard, J., Lasher, R. and Van Woert, M.H. Transmission of mouse neuroblastoma by a cell-free extract. *Nature* 228, 997, 1970.
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MOUNT SINAI
SCHOOL OF
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Glickenhauß Professor and Chairman
Director, Center for Translational Systems Biology
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stuart.sealfon@ssm.edu

July 13, 2009

Dear Dr. Van Woert:

This is a summary of the topics discussed at our meeting last Friday, July 10th in my office:

- As a full time faculty member at this institution, you are expected to report to work five days a week and work at least 8 hours each day.
- Mount Sinai School of Medicine policies stipulate that you must have funding to cover at least 90% of your total salary plus fringe benefits. As you know, we are actively working with you to identify activities and additional sources of support to augment the support received through your work for Employee Health Services so that you can meet the 90% target.
- If you cannot cover 90% of your current base salary plus fringe benefits by September 30, 2009, your base salary will be reduced to \$56,643.
- If by January 1, 2010 you are not covering 90% of your salary plus the fringe benefits, your salary will be further reduced to \$48,286, which is the minimum for rank for your faculty title.

Our hope is that appropriate sources of funding to cover your salary and benefits will be identified so that reductions of your salary are not necessary.

Please let me know if you have any questions.

Sincerely,

Stuart C. Sealfon M.D.
Professor, Chair
Department of Neurology



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Estelle and Daniel Maggin
Department of Neurology

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Director, Center for Translational Systems Biology
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Professor of Pharmacology and Systems Therapeutics

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stuart.sealfon@mssm.edu

September 11, 2009

Dear Dr. Van Woert:

Thank you for your letter. As I said in our meeting, you are not being treated differently from any other member of our department. Clinical faculty in the department and throughout Mount Sinai are expected to cover 90% of their salary and they have been made aware of this expectation.

If you are able to work effectively with Mary Catherine I anticipate that we will be able to justify the use of grant funding to cover enough of your salary so that no salary reduction will be necessary. However the use of grant funding to support your salary is contingent on the continued availability of the grant funding as well as on you being able to perform this work effectively and to be present for the requisite hours

I very much hope you will be able to engage in activities that will support your salary as required by our compensation plan.

Sincerely,

Stuart C. Sealfon M.D.
Professor, Chair
Department of Neurology

Cc: Leslie Schnieder

Exhibit 4

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Average Salary of Jobs Matching Your Search

nurse assistant in New York, NY **\$69,000**

In USD as of Sep 4, 2012

50k

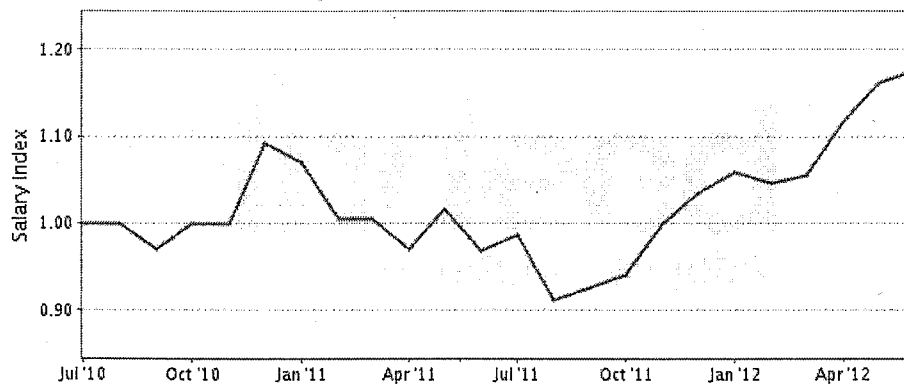
100k

150k

Average nurse assistant salaries for job postings in New York, NY are 26% higher than average nurse assistant salaries for job postings nationwide.

National Salary Trend from Indeed.com

— nurse assistant



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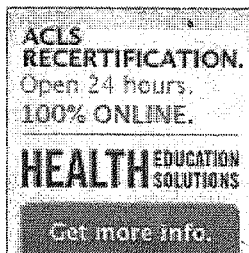
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Internal medicine Salary Information

Lowest Reported	Average Reported	Highest Reported
\$154000	\$176000	\$245000

(also see [Internal Medicine Jobs](#))

Internal medicine salaries can vary widely by subspecialty, area of care, and region. Internists in primary care roles often have the lowest base salary levels, but depending on patient volume and case complexity can generate good bonuses.

Locum tenens positions will often set base pay scale on the national average income. The pay can be adjusted by local cost-of-living difference from the national average.

In evaluating a physician job offer it is important to know the average pay for a given specialty. Independent of locum tenens positions, the national average of physician salaries in different specialties is often used as a target: a physician who generates the average patient

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Average Salary of Jobs Matching Your Search

nurse rn in New York, NY **\$103,000**

In USD as of Sep 4, 2012

45k

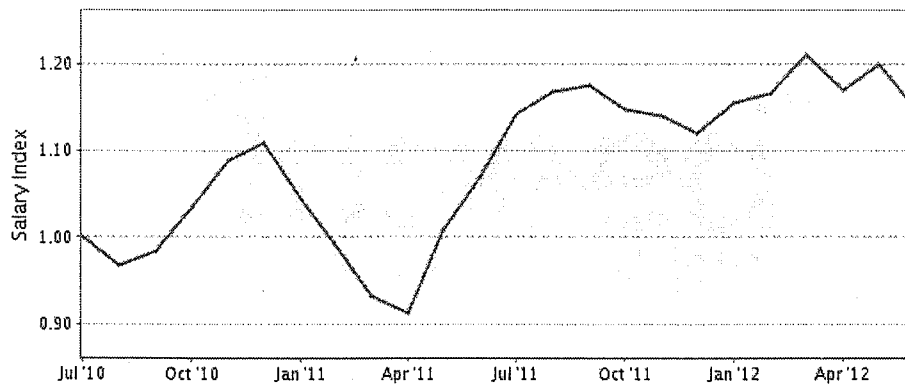
90k

135k

Average nurse rn salaries for job postings in New York, NY are 26% higher than average nurse rn salaries for job postings nationwide.

National Salary Trend from Indeed.com

— nurse rn



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MOUNT SINAI
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ANNUAL FACULTY APPOINTMENT EVALUATION

DEPARTMENT OF: NeurologyNAME/DEGREE: Melvin Van Woert MDRANK: ProfessorTRACK: AcademicYEARS AT RANK: 38

TERM END DATE:

Allocation Effort (%)Teaching: _____ % Research: 77 % Clinical: 23 % Administration: _____ % Service: _____ %**Salary Coverage in Relation to Effort (%)**

Teaching: _____ % Research: _____ % Clinical: _____ % Administration: _____ % Service: _____ %

- Ratings: 1=below expectations
 2=marginally meets expectations
 3=meets expectations
 4=exceeds expectations
 5=markedly exceeds expectations

N/A= not applicable, e.g., if individual teaches only medical students, circle N/A for teaching postdocs, house staff/clinical fellows.

Add comments to sections or categories as appropriate.

SCHOLARSHIPS	RATING					
Peer-Reviewed Publications—quality and quantity; personal impact factor last publication 1995	<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Invited Presentations—regional/national/int'l; quality and quantity	<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Other Evidence of Scholarship, e.g., innovation, web-based materials	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
TEACHING	RATING					
Mount Sinai Medical/Graduate Students—lectures, course development/directorship; T \$ generation observed by occasional Hunter college students or visiting MDs	<input type="radio"/> 1	<input checked="" type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Postdoctoral Fellows, House Staff/Clinical Fellows—#, venues, outcomes	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Regional, National, International Teaching—quantity/quality	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Teaching/Mentoring Excellence, e.g., course evaluations, teaching awards, mentee evaluations/productivity	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A

RESEARCH	RATING					
Extramural Funding—type, \$, R dollar generation, renewal prospects, research density	<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Innovations—patents, patent applications, licenses	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Clinical Trials—scope, patient enrollment, financials Dr. Simpson's group HIV neuropathy/ myelopathy, pain focus grps (Dorfman)	<input type="radio"/> 1	<input checked="" type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
CLINICAL	RATING					
Patient Care, e.g., quality, malpractice, certification, patient satisfaction works at employee health 2 afternoons/week	<input type="radio"/> 1	<input checked="" type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
wRVUs—performance against MGMA benchmarks	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
FPA Financial Results—clinical receipts, expenses, deficits	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Clinical Teaching, e.g., students, house staff, fellows; conferences	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
SERVICE	RATING					
Service/Leadership @ MSSM and MSH, e.g., institutional committees	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Service to Primary Dept/Institute, e.g., committees, administration	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
Professionalism towards faculty, trainees, staff. Incidents (positive or negative)?	<input type="radio"/> 1	<input type="radio"/> 2	<input checked="" type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
External Service/Leadership, e.g., study sections, society role; public advocacy (e.g. testifying before Congress, lab tours to policy makers, advocating Federal \$ for science), public education/ talks to lay audiences/ high school science outreach	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input checked="" type="radio"/> N/A
OVERALL RATING	<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A

Faculty Signature* _____

Chair/Designee Signature _____

Date _____

Faculty Member: Your signature indicates that your Chair (or designee) has discussed this review with you and that you have read the completed form. If you wish, you may add comments, including disagreements, on a separate page which will be appended to the evaluation.

Exhibit 6
FORM A**Professional Reference Questionnaire**

Melvin H. Van Woert, MD (Applicant Name) is currently in the process of applying for reappointment to the Medical Staff of The Mount Sinai Hospital. In order to allow our Department Chairman to make an informed decision regarding the applicant's request for reappointment and to comply with JCAHO requirements, the applicant is requesting that you please complete and return the following as soon as possible in support of his/her reappointment request. If you do not have adequate knowledge to answer a particular question, please indicate "No Information." You may attach any additional information or comments you deem appropriate. Thank you for your prompt attention to this request as your failure to return this questionnaire may impact the applicant's ability to maintain his/her privileges.

Area	Superior	Above Average	Below Average	N/A
Teaching Ability				✓
Clinical Competence/Judgment		✓		
Overall Clinical Knowledge		✓		
Knowledge in Specialty/ Subspecialty		✓		
Technical Skills		✓		
Availability and Thoroughness in Patient Care		✓		
Appropriateness and Timely Use of Consultants		✓		
Emotional Stability		✓		
Relationship with Peers		✓		
Relationship with Hospital Staff		✓		
Relationship/Rapport with Patients		✓		
Ability to Work Well With Others		✓		
Work Ethic			✓	
Professional Attitude		✓		
Overall Character		✓		
Clarity/Completeness of Medical Records				✓
Medical Record Timeliness				✓
Legibility of Records				✓
Participation in Committees, Leadership, etc.	✓			✓
Verbal and Written Fluency in English	✓			
Participation in CME Activities				✓

- How long have you known the applicant? 2 years
- During what time period did you have the opportunity to directly observe the applicant's practice of medicine? During many interactions with research subjects.
- In what setting(s) and with what frequency did you observe the applicant? -2yrs - working on research trials together.

Melvin H. Van-Woert, MD

(Applicant Name)

FORM A

4. Was your observation done in connection with any official professional title or position?

☒ Yes ☐ Noa. If so, please indicate title and position: Assistant Prof. Neurology as well as PI research studiesb. What was the applicant's title or position? Professor of Neurology/Pharmacology5. Were you previously, are you now, or are you about to become related to the applicant as family or through a professional partnership or financial association? ☐ Yes ☒ No

If yes, please explain: _____

6. Have you ever observed or been informed of any problems which the applicant has or had that have or could potentially affect his/her ability to exercise any or all of the privileges requested or to perform the duties of medical staff appointment? ☐ Yes ☒ No

If yes, please explain: _____

7. To the best of your knowledge, has the applicant's license, clinical privileges, hospital appointment, affiliation with any healthcare organization, or other professional status ever been denied, challenged, investigated, terminated, reduced, not renewed, limited, withdrawn, suspended, revoked, modified, placed on probation, voluntarily surrendered, or do you have knowledge of any such actions that are pending?

☐ Yes ☒ No

Summary Recommendations:

- ☒ I recommend without reservation for reappointment with all requested privileges
☐ I recommend for reappointment. Please note reservations on attached privileges list.
☐ I do not recommend this applicant for reappointment.
☐ I cannot comment on the clinical competence of the individual referenced above.

Signature

Kathryn E. Elie

Date

June 21, 2011

Name (Please Print)

Kathryn E. Elie MD

Attachments:

Delineation of Privileges Form

Release

Please return this form directly via mail or fax to:

**Department of Medical Staff Services
The Mount Sinai Hospital
One Gustave L. Levy Place
Box 1116
New York, NY 10029-6574
FAX: (212) 996-2230
Phone: (212) 241-6114**



MOUNT SINAI
SCHOOL OF
MEDICINE

Estelle and Daniel Maggin
Department of Neurology

Stuart C. Sealfon, MD
Glickenhau Professor and Chairman
Director, Center for Translational Systems Biology
Professor of Neurobiology, Pharmacology and Systems Therapeutics

One Gustave L. Levy Place
Box 1137
Annenberg 14-70
New York, NY 10029-6579
Tel: (212) 241 - 7075
Fax: (212) 289 - 4107
stuart.sealfon@mssm.edu

March 21, 2012

This addendum is intended to clarify the clinical, research and scholarship ratings on Dr. van Woert's Faculty Performance Evaluation Form. These ratings were developed within the context of expectations for a tenured full-time faculty member. Specifically:

- 1) Dr. van Woert works in Employee Health Services two days/week (.2FTE). Although I recognize that these clinical services are appreciated and valued by Employee Health Services, at this level of clinical effort other revenue-generating activities are essential to support Dr. van Woert's salary and full-time employment.
- 2) Dr. van Woert is not the principal investigator on any grants and does not apply for extramural funding.
- 3) Dr. van Woert does not pursue clinical research at a level that provides salary support. I do recognize that Dr. van Woert has provided assistance to ongoing clinical trials led by Dr. Simpson.
- 4) Dr. van Woert has not published in at least 16 years.
- 5) Dr. van Woert does not engage in teaching activities that generate "T" dollars in support of his salary.

In summary, Dr. van Woert's overall performance as a tenured faculty member is considerably below what is expected in terms of academic productivity, grant support and clinical effort.

Stuart C. Sealfon

Stuart C. Sealfon M.D.
Professor, Chair
Department of Neurology

Grants and Contracts I have or am working on mostly as co-investigator

- 1) Acorda Therapeutics: A Phase 1b Study of Dalfampridine 10 mg, Extended Release Tablet in Subjects with Chronic Deficits after Ischemic Stroke
- 2) CSL Behring: A Double-Blind, Placebo Controlled Study of Intravenous Immunoglobulin for HIV-Associated Myelopathy
- 3) Eli Lilly: The Experience of Chronic Pain, a Focus Group Approach
- 4) Ipsen: A Phase 3, Multicentre, Prospective, Double-Blind Randomized, Placebo-Controlled Study, Assessing the Efficacy and Safety of Dysport Intramuscular Injections Used for the Treatment of Upper Limb Spasticity in Adult Subjects with Spastic Hemiparesis due to Stroke or Traumatic Brain Injury
- 5) Astra Zenica: A Phase 2a, Double-Blind, Randomized, Parallel-group, Multi-centre Study to Evaluate the Analgesic Efficacy of 28 days' Oral Administration of AZD 2423 Compared with Placebo in Patients with Painful Diabetic Polyneuropathy.
- 6) Pfizer: A Randomized Double-Blind, Placebo-Controlled, Parallel-Group, Multicentre Trial of Pregabalin Versus Placebo in the Treatment of Neuropathic Pain Associated with HIV Neuropathy.
- 7) NIH Grant: Cellular Localization and Immune Response to JC Virus
- 8) Novartis/NIH Grant: A Phase 2, Randomized, Double-Blind, Placebo-Controlled Study of Methadone and Combination of Methadone and SAB 378 in HIV-Associated Painful Peripheral Neuropathy
- 9) Allergan: Cadaver Course Botulinum Injections run by Allergan Medical Education Department
- 10) Neurogesx: Qutenza Therapy for Postherpetic Neuralgia
- 11) Viro Med Co. Ltd.: A Phase 2, Double-Blind, Randomized, Placebo-Controlled, Multicenter Study to Assess the Safety and Efficacy of VM202 in Subjects with Painful Diabetic Peripheral Neuropathy
- 12) Merz Pharmaceuticals: Prospective, Open-Label, Non-Randomized, Single-Arm, Multi-Center Dose Titration Study to Investigate the Safety and Efficacy of NT 201 in Subjects Deemed to Require Total Body Doses of 800 U of NT 201 During the Course of the Study for the Treatment of Upper Limb Spasticity of the Same Body Side due to Cerebral Causes.
- 13) Dr. Dai and Bernard Cohen, NIH Grant: Visual Vestibular Interactions to Reduce Motion Sickness:

INSTITUTIONAL FRAMEWORK FOR CLINICAL FACULTY COMPENSATION

Goals

The goals of this policy are to:

- 1) Promote equitable compensation for all members of the faculty;
- 2) Enhance the School's ability to compete in the recruitment and retention of excellent faculty;
- 3) Encourage and support faculty productivity;
- 4) Ensure that the compensation methodology is fiscally sound and legally acceptable; and
- 5) Facilitate timely review and approval of compensation.

Guidelines*

- 1) Total guaranteed compensation should not exceed the P75 of the AAMC Faculty Salary Survey (adjusted for NYC); must be at fair market value for the provider; and must be commercially reasonable.
- 2) In no event will any individual's compensation take into account directly or indirectly the volume or value of any referrals by the physician.
- 3) Terms and conditions of employment agreements, letters of offer, and retention letters must be approved by the Dean's Office before a firm offer is extended.
- 4) Faculty time and effort must be aligned with the appropriate funding sources, e.g. the time spent on clinical (FPA) work should be proportionate to the percentage of base salary charged to the corresponding FPA account.
- 5) At least 90% of base salary, guaranteed supplement, and bonuses (if applicable) including associated fringe benefits should be supported from the appropriate funding sources and match physician's time/effort.
- 6) Chairs will conduct regular faculty reviews to assess individual performance and confirm adherence to compensation guidelines. Subsequent years' compensation may be adjusted based on the review as follows. If at least 90% of base salary, guaranteed supplement, and bonuses (if applicable) including associated fringe benefits support is < 90%:
 - a) Funding sources for the support of supplements should be shifted to achieve 90% support for base salary plus fringe benefits.
 - b) Compensation will be reduced to achieve breakeven or to minimum for rank, which ever is greater while alignment of effort is maintained.

* Elements of this framework may not apply to guaranteed supplements and/or other types of guaranteed compensation during start-up period

Exhibit 10



Mount
Sinai

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MEDICINE

Dennis S. Charney, M.D.
Anne and Joel Ehrenkranz Dean,
Mount Sinai School of Medicine
Executive Vice President for Academic Affairs,
The Mount Sinai Medical Center
Professor, Departments of Psychiatry,
Neuroscience, and Pharmacology
& Systems Therapeutics

The Mount Sinai Medical Center
One Gustave L. Levy Place
Box 1217
New York, NY 10029-6574

Tel: (212) 241-5674
Fax: (212) 824-2302
E-mail: dennis.charney@mssm.edu

July 31, 2012

By Certified Mail—Return Receipt Requested

Melvin Van Woert, M.D.
752 Ridgewood Road
Millburn, NJ 07041

Professor, Department of Neurology
Mount Sinai School of Medicine
One Gustave L. Levy Place
New York, NY 10029

Dear Dr. Van Woert:

I am writing as Dean of Mount Sinai School of Medicine to inform you that the Grievance Committee's Investigative and Hearing Board (the "Board") has completed its review of your complaint of discrimination. The Board conducted a thorough investigation and determined that no discrimination took place. I have decided to accept the Board's conclusions.

Mount Sinai has extensive policies and procedures that prohibit discrimination. The School takes its obligations in this regard very seriously and continues to enforce those policies and procedures consistently throughout the institution.

Sincerely,

Dennis S. Charney, M.D.
Anne and Joel Ehrenkranz Dean,
Mount Sinai School of Medicine
Executive Vice President for Academic Affairs,
The Mount Sinai Medical Center

cc: Gail Meisel, M.D. (Chair, Grievance Committee)

Exhibit 11

Van Woert, Melvin

From: Schneier, Leslie
Sent: Wednesday, September 12, 2012 4:49 PM
To: Van Woert, Melvin
Subject: RE: Grievance Board Report

Dr. Van Woert,
As Dr. Meisel mentioned in her email to you (below), our Faculty Handbook policy instructs that the Report is given only to the Dean of the School of Medicine; it is not distributed to anyone else. Leslie

Leslie Schneier
Associate Dean for Faculty Affairs and Administration Mount Sinai School of Medicine
leslie.schneier@mssm.edu
Phone: 212-241-4098
Fax: 212-241-7146

-----Original Message-----

From: Van Woert, Melvin
Sent: Wednesday, September 12, 2012 3:45 PM
To: Schneier, Leslie
Subject: RE: Grievance Board Report

Dear Ms. Schneier:

Can I please get a copy of the Grievance Board Report so I can discuss it with my attorney at his request? Dr. Stimmel suggested that I contact you about getting a copy.

Sincerely,

Melvin Van Woert, MD
Dept of Neurology

-----Original Message-----

From: Gail Meisel [<mailto:gailmeisel@nyc.rr.com>]
Sent: Friday, August 31, 2012 9:02 PM
To: Van Woert, Melvin
Subject: Grievance Board Report

Dear Dr Van Woert:

I am sorry there has been a delay in my responding to your emails sent to my Mt Sinai email address, but I had given you this email address that I check daily when we first began communicating. I do not check my Mount Sinai email frequently.

The Board submitted its report to the Dean but under the Faculty Handbook it does not give the report out to anyone else including you or Dr. Sealfon.

Sincerely,

Gail Meisel, MD

Sent from my iPad

May 16, 2012

Dr. Melvin Van Woert
Professor, Neurology
Professor, Pharmacology and Systems Therapeutics

Dear Dr. Van Woert,

An Investigative and Hearing Board (the "Board") has been appointed to hear your complaint on May 31st, 2012 (see list of members below). We request that you appear to provide testimony at 6:00 p.m. on that day in Annenberg 21-76.

In addition, in the event you wish to challenge any of the Board members for cause, please do so in writing (e.g., by e-mail) within 48 hours from receipt of this letter, i.e., no later than 3 p.m. on Friday, May 18th, 2012.

Sincerely,



Gail Meisel, MD
Chair, Grievance Committee

Investigative and Hearing Board

Dr. Gail Meisel (Chair)
Dr. Sharon Diamond
Dr. Kevin Troy
Dr. Sharon Batista
Dr. Raymond Matta

Alternates

Dr. Michael Diaz
Dr. Edward Ronan